

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2018-148-C

Petition of the Office of Regulatory Staff for the)	
Commission to Order a Rule to Show Cause as to)	
Why the Certificates of Public Convenience and)	
Necessity for Certain Providers of)	
Telecommunications Services Should Not Be)	ANSWER OF MOBILITIE MANAGEMENT
Revoked For Failure to File Gross Receipts)	
Reports, Annual Report, South Carolina USF)	
Contribution Worksheet, and/or Paid Gross)	
Receipts Fees)	

Mobilitie Management, LLC (“Mobilitie Management”), by counsel, respectfully files this Answer of Mobilitie Management, LLC (“Answer”) to the Petition of the South Carolina Office of Regulatory Staff for a Rule to Show Cause (“Petition”) filed by the South Carolina Office of Regulatory Staff (“ORS”) on April 26, 2018.

ANSWER

Any allegation not specifically admitted herein is hereby denied. As to each numbered paragraph, Defendant answers as follows:

1. Mobilitie Management admits that the Public Service Commission of South Carolina (“Commission”) is a state agency constituted pursuant to South Carolina law and responsible for the regulation of telephone utilities operating under S.C. Code Ann. §§ 58-9-10 *et seq.* (Supp. 2014).
2. Mobilitie Management admits that ORS is charged with protecting the public interest pursuant to S.C. Code Ann. §§ 58-4-10 *et seq.* (Supp. 2014).

3. Mobilitie Management admits that it is authorized by the Commission as a telephone utility. With respect to any other party listed in Petition Exhibit A, Mobilitie Management lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 3 and, therefore, denies those allegations for which it lacks knowledge or information.

4. Mobilitie Management admits that it holds a Certificate of Public Convenience and Necessity in the State of South Carolina and is subject to the jurisdiction of the Commission. With respect to any other party listed in Petition Exhibit A, Mobilitie Management lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 4 and, therefore, denies those allegations for which it lacks knowledge or information.

5. Mobilitie Management admits that the Commission found Mobilitie Management to possess the technical, financial, and managerial resources sufficient to provide telecommunications service in South Carolina when the Commission issued Mobilitie Management's Certificate of Public Convenience and Necessity. With respect to any other party listed in Petition Exhibit A, Mobilitie Management lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 5 and, therefore, denies those allegations for which it lacks knowledge or information.

6. Mobilitie Management admits that South Carolina law makes public utilities subject to assessment by the Department of Revenue pursuant to S.C. Code Ann. §§ 58-3-100, 58-3-540, 58-4-60, and 58-9-370 (Supp. 2014).

7. Mobilitie Management responds that it has submitted its Gross Receipts Report, and based on correspondence with ORS, Mobilitie Management believes ORS intends to seek Mobilitie Management's removal from this proceeding. Mobilitie Management admits that Gross

Receipt Reports are due to ORS by August 31 annually. With respect to any other party listed in Petition Exhibit A, Mobilitie Management lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 5 and, therefore, denies those allegations for which it lacks knowledge or information.

8. Mobilitie Management admits that Gross Receipt Fees are billed by the Department of Revenue on or before July 1 annually and that the fees are based on the Gross Receipts Reports filed on August 31 of the prior year. Mobilitie Management further admits that payment of the Gross Receipt Fees are due on July 15. Mobilitie Management lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 8 regarding the Department of Revenue's reporting delinquent Gross Receipt Fee payments to ORS and, therefore, denies that allegation.

9. Mobilitie Management admits that it has authority to operate in South Carolina. Mobilitie Management admits that, as indicated in Petition Exhibit A, it has paid all relevant Gross Receipt Fees it owes. With respect to any other party listed in Petition Exhibit A, Mobilitie Management lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 9 and, therefore, denies those allegations for which it lacks knowledge or information.

10. Mobilitie Management admits that ORS is authorized to require telephone utilities to file annual reports and to enforce such requirements.

11. Mobilitie Management admits, consistent with Petition Exhibit A, that it has submitted all required annual telecommunications reports related to Mobilitie Management. With respect to any other party listed in Petition Exhibit A, Mobilitie Management lacks knowledge or

information sufficient to form a belief as to the truth of the allegations in Paragraph 11 and, therefore, denies those allegations for which it lacks knowledge or information.

12. Mobilitie Management admits that ORS administers the South Carolina Universal Service Fund (“USF”) pursuant to South Carolina law.

13. Mobilitie Management admits that Commission rules require carriers to file a South Carolina Universal Service Fund Contribution Worksheet (“USF Worksheet”) to allow ORS to calculate each carrier’s USF contribution.

14. Mobilitie Management admits, as indicated in Petition Exhibit A, that it has submitted all required USF Worksheets related to Mobilitie Management. With respect to any other party listed in Petition Exhibit A, Mobilitie Management lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 14 and, therefore, denies those allegations for which it lacks knowledge or information.

15. Mobilitie Management responds that the information listed in Exhibit A does not accurately reflect its contact information. Mobilitie Management notified the Commission of a change in its address on June 30, 2017, and the Commission confirmed receipt of Mobilitie Management’s notice on July 3, 2017. Mobilitie Management’s current address is 660 Newport Center Drive, Suite 200, Newport Beach, California 92660. Based on the apparent miscommunication of Mobilitie Management’s address change, Mobilitie Management will again update the Commission regarding its current address at its earliest convenience.

16. Mobilitie Management admits that South Carolina law requires a telephone utility to comply with an order, decision, direction, rule, or regulation made by the Commission or ORS.

17. Mobilitie Management admits that South Carolina law permits the Commission to conduct hearings to administer and enforce its order, decisions, directions, rules, and regulations.

WHEREFORE, Mobilitie Management respectfully requests the following relief from the Commission:

1. Dismiss this Petition with respect to Mobilitie Management; and
2. Grant such other relief as is just and proper.

Respectfully submitted,

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Counsel for Mobilitie Management, LLC

June 7, 2018

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Petition of the Office of Regulatory Staff for)
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Cause as to Why the Certificates of Public)
Convenience and Necessity for Certain)
Providers of Telecommunications Services)
Should Not Be Revoked For Failure to File)
Gross Receipts Reports, Annual Report, South)
Carolina USF Contribution Worksheet, and/or)
Paid Gross Receipts Fees)

CERTIFICATE OF SERVICE

This is to certify that I have caused to be served this day the Answer of Mobilitie Management via electronic mail service as follows:

C. Lessie Hammonds
Office of Regulatory Staff
lhammon@regstaff.sc.gov

s/John J. Pringle, Jr.

June 7, 2018
Columbia, South Carolina